

08/15/01

08-16-01

A

Express Mail Label No. EL895322645US

UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
12861A

Total Pages in this Submission
4

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

IL-16 ANTAGONISTS

and invented by:

David M. Center
William W. Cruikshank
Hardy Kornfeld

11050 U.S. PTO
09/929924
08/15/01

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/368,632

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 63 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal b. ☒ Informal Number of Sheets 15
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission (if applicable, all must be included)
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & documents)
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EL895322645US

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Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☐ Small Entity Statement(s) - Specify Number of Statements Submitted:

16a. ☒ Small entity status is entitled to be asserted in respect
to the attached patent application.

17. ☒ Additional Enclosures *(please identify below):*

Request to Use Computer Readable Copy of Sequence Listing
Verification
Paper copy of sequence listing

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	14 *	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	7 *	- 3 =	4	x \$40.00	\$160.00
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					\$135.00
* Claims based on Preliminary Amendment Filed herewith BASIC FEE					\$355.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$650.00

- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **19-3886/RCT** as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of **\$650.00** as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: **August 15, 2001**


Signature

Frank S. DiGiglio
Registration No.: 31,346

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516)742-4343

cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **David M. Center, et al.**

Docket No.

12861ASerial No.
UnassignedFiling Date
HerewithExaminer
UnassignedGroup Art Unit
UnassignedInvention: **IL-16 ANTAGONISTS**

I hereby certify that the following correspondence:

New Divisional Patent Application*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

August 15, 2001*(Date)***Mishelle Mustafa***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL895322645US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants:** David M. Center, et al.**Examiner:** Unassigned**Serial No.:** Unassigned**Art Unit:** Unassigned**Filed:** Herewith**Docket:** 12861A**For:** IL-16 ANTAGONISTS**Dated:** August 15, 2001Assistant Commissioner for Patents
Washington, DC 20231**REQUEST TO USE COMPUTER READABLE FORM FROM ANOTHER APPLICATION**

Sir:

The computer readable form of the "Sequence Listing" in this application, is identical with the sequence listing submitted to the United States Patent and Trademark Office in Response to Notice to Comply filed on March 27, 2001 in connection with U.S. Patent Application Serial No. 09/368,632. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form and paper copy of the "Sequence Listing" from the Response to Notice to Comply dated March 27, 2001 in U.S. Patent Application Number 09/368,632.

Respectfully submitted,

Frank S. DiGiglio
Registration No. 31,346SCULLY, SCOTT, MURPHY & PRESSER
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(516) 742-4343
FSD:PIB:bb**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on August 15, 2001.

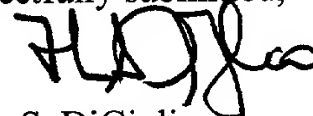
Dated: August 15, 2001
Mishelle Mustafa

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants:** David M. Center, et al.**Examiner:** Unassigned**Serial No.:** Unassigned**Art Unit:** Unassigned**Filed:** Herewith**Docket:** 12861A**For:** IL-16 ANTAGONISTS**Dated:** August 15, 2001Assistant Commissioner for Patents
Washington, DC 20231**VERIFICATION UNDER 37 C.F.R. §1.821(f)**

Sir:

I hereby state that the content of this paper and the computer readable copies of the Sequence Listing submitted in connection with U.S. Patent Application No. 09/368,632, in accordance with 37 C.F.R. §1.821(c) and (e), respectively, are the same.

Respectfully submitted,

Frank S. DiGiglio
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FSD:PIB:bb**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on August 15, 2001.

Dated: August 15, 2001
Mishelle Mustafa